

Nathan Schwed
ZEICHNER ELLMAN & KRAUSE LLP
1211 Avenue of the Americas
New York, NY 10022
(212) 223-0400
nschwed@zeklaw.com

Attorneys for Popular Bank f/k/a
Banco Popular North America
UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

EMC BRONXVILLE METROPOLITAN, LLC, fka
METLOFT BRONXVILLE, LLC

Debtor.

Chapter 11
Case No. 18-22963-rdd

NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS

PLEASE TAKE NOTICE that the law firm set forth below appears as counsel for Popular Bank f/k/a Banco Popular North America, (“Popular Bank”) a creditor and party-in-interest in the above-captioned Chapter 11 bankruptcy case, and pursuant to Rules 2002, 9007 and 9010 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Section 1109(b) of Title 11 of the United States Code, as amended (the “Bankruptcy Code”), request that the following name and address be added to the mailing list maintained by the Clerk of Court and Debtor’s counsel in this case and further demand that all notices given or required to be given in this case and all papers served or required to be served in this case by all counsel, parties-in-interest, and this Court be given to and served upon the following counsel:

Nathan Schwed, Esq. and
Mark W. Schlussel, Esq.
Zeichner Ellman & Krause LLP
1211 Avenue of the Americas
New York, New York 10036
Telephone: (212) 223-0400
Fax: (212) 753-0396
nschwed@zeklaw.com
mschlussel@zeklaw.com

PLEASE TAKE FURTHER NOTICE that the foregoing demand includes not only the notices and papers referred to in the Bankruptcy Rules and Bankruptcy Code set forth above, but also includes, without limitation, orders and notices of any application, motion, petition, pleading, request, complaint or demand, whether formal or informal, whether written or oral, and whether transmitted, conveyed by mail, hand delivery, telephone, telegraph, telex, e-mail or otherwise, which affects the Debtor or property of the Debtor's or the rights of creditors and parties-in-interest such as Popular Bank.

PLEASE TAKE FURTHER NOTICE that Popular Bank does not intend that this Notice of Appearance and Request for Service of Papers or any later appearance or pleading be deemed or construed to be a waiver of its right: (i) to have final orders in non-core matters entered only after de novo review by a District Judge; (ii) to trial by jury in any proceeding so triable in this case or any case, controversy, or proceeding related to this case; (iii) to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; and (iv) to any other rights, claims, actions, setoffs, or recoupments to which Popular Bank is or may be entitled under agreements, in law or in equity, all of which rights, claims, actions, defenses, setoffs and recoupments Popular Bank expressly reserves.

Dated: New York, New York
August 20, 2018

ZEICHNER ELLMAN & KRAUSE LLP
Attorneys for Popular Bank f/k/a Banco
Popular North America

By: /s/ Nathan Schwed
Nathan Schwed
1211 Avenue of the Americas
New York, New York 10036
(212) 223-0400